

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:17-cv-24-FDW**

ROBERT LAMAR MCFADDEN,)
)
)
Plaintiff,)
)
)
vs.)
)
)
) **ORDER**
)
RODNEY BURTON, et al.,)
)
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)
Defendants.)
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)

THIS MATTER comes before the Court on its own motion.

Pro se Plaintiff Robert Lamar McFadden, a North Carolina prisoner incarcerated at Marion Correctional Institution in Marion, North Carolina, filed this action on January 19, 2017, pursuant to 42 U.S.C. § 1983. Plaintiff's claim here arises out of an alleged incident of excessive force occurring at Marion on October 9, 2016.

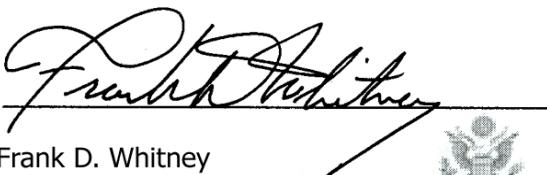
Plaintiff alleges in the Complaint that he has exhausted his administrative remedies as to this claim, but he has not attached the prison's response through all three steps of the grievance process. Before going forward with this Court's initial screening, the Court will order prison officials at Marion to submit a statement regarding any grievances filed by Plaintiff based on the alleged incident occurring on October 9, 2016, including whether and when Plaintiff resolved this grievance through Step Three of the appeals process.

IT IS, THEREFORE, ORDERED that:

(1) The Clerk of this Court shall mail to Marion Correctional Institution the documents filed in this action in Docket No. 1, as well as this Order.

(2) It is further ordered that Marion Correctional Institution prison officials shall mail to the Court, within twenty (20) days of entry of this Order, a statement regarding any grievances filed by Plaintiff based on the alleged incident occurring on October 9, 2016, including whether and when Plaintiff resolved this grievance through Step Three of the appeals process.

Signed: February 13, 2017



Frank D. Whitney
Chief United States District Judge

